

Application No.: 09/890482

Case No.: 53852US013

REMARKS

The Office Action dated September 15, 2005 has been received and reviewed. Claim 28 has been amended. The pending claims are claims 28 and 31-34. Reconsideration and withdrawal of the rejections are respectfully requested. Applicants hereby incorporate by reference the arguments previously submitted in the Amendment and Response dated June 27, 2005, the Response dated November 15, 2004, and the Amendment and Response dated April 19, 2004.

Claim Amendments

Claim 28 was amended to recite that the optical filter transmits a predetermined proportion of light in a desired infrared wavelength region. Support for this amendment can also be found, e.g., in the Specification at page 24, lines 17-19.

The 35 U.S.C. § 103(a) Rejection

Claims 28 and 31-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ouderkirk et al. (WO 97/01778) in view of Oi (U.S. Patent No. 5,804,102) and Isoda (U.S. Patent No. 3,928,760), and further in view of any of Van der Voort (U.S. Patent No. 4,937,661) or Vriens (U.S. Patent No. 4,804,884). Applicants traverse this rejection.

However, to further move this case towards issuance, Applicants have amended claim 28 as described above. Applicants submit that amended claim 28 is not *prima facie* obvious in view of the cited references because the combination of such references does not teach or suggest all of the elements of claim 28.

For example, amended claim 28 recites that the optical filter transmits a predetermined proportion of light in a desired infrared wavelength region. In contrast to claim 28, the Examiner states that Ouderkirk et al. describes an optical filter that is capable of reflecting a predetermined proportion of light in the near infrared while transmitting a predetermined proportion of light in the visible region. See Office Action, page 2. In other words, while the optical filter of claim 28 transmits light in a desired infrared wavelength region, the filter of Ouderkirk et al. transmits

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light in the visible region; therefore, Ouderkirk et al. does not teach all of the elements of claim 28.

Further, Applicants respectfully traverse the Examiner's alleged motivation for combining the teachings of Ouderkirk et al., Oi, and Isoda to produce the invention as claimed in claim 28. The Examiner alleges that it would have been obvious to one of ordinary skill in the art at the time the invention was made to "use the multilayer IR filter of Ouderkirk, a filter which substantially reflects incident IR radiation, in conjunction with an IR remote control detector in order to prevent the incidence of unwanted IR radiation upon the detector and therefore cause deleterious effects, as taught by Oi, by simple [sic] placing the filter in front of the detector, as taught by Isoda." See Office Action, page 3. However, Applicants submit that placing a filter that substantially reflects incident IR radiation in conjunction with an IR remote control detector would prevent the IR remote control detector from receiving IR radiation and, therefore, no IR signal would reach the detector. Such an arrangement would render the IR remote control detector inoperable.

The addition of Oi, Isoda, Van der Voort, and Vriens does nothing to cure the deficiencies already present in Ouderkirk et al.

Claims 31-34, which depend from independent claim 28, are patentable over the cited references for the same reasons as presented above for claim 28. In addition, claims 31-34 each recite additional elements that further support patentability when combined with claim 28.

For at least the above reasons, Applicants submit that claims 28 and 31-34 are patentable over the cited references. Reconsideration and withdrawal of this rejection is, therefore, respectfully requested.

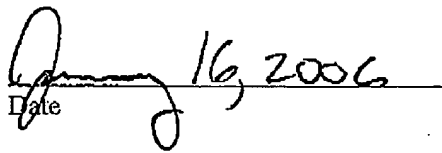
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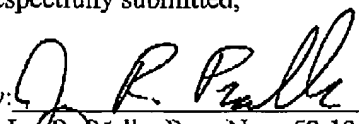
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Summary

It is respectfully submitted that the pending claims are in condition for allowance. Reconsideration and withdrawal of all rejections are respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,


Date

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